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1 JAMES M. REESE #135082 HIGH DESERT PRISON3 P.O. BOX 6504 INDIAN SPRINGS, NV 890705 Plaintiff7 UNITED STATES DISTRICT COURT8 DISTRICT OF NEVADA10 JAMES M. REESE, as individual

CASE NO 2:19-CV-00152

11 Plaintiff

RFB - BNW

12 VS.13 MOTION TO EXTEND14 GREGORY BRYAN, individual capacity,DISCOVERY DEADLINES15 ROMEO ARAVAS, individual capacity,(THIRD REQUEST)16 DOES 1-X(1ST BY UNREPRESENTED PLAINTIFF)17 DEFENDANTS.

18 Plaintiff JAMES M. REESE (PLAINTIFF), in accordance
 19 with Rule LR 6-1 EXTENSION OF TIME, "DISCOVERY DEADLINES",
 20 ALSO Rule LR 26-4 EXTENSION OF SCHEDULED DEADLINES,
 21 of the local Rules of the UNITED STATES DISTRICT COURT,
 22 DISTRICT OF NEVADA, plaintiff hereby submits this
 23 motion to EXTEND DISCOVERY DEADLINES (THIRD REQUEST)
 24 (1ST REQUEST BY UNREPRESENTED PLAINTIFF,) (120 DAYS)

25 * THIS REQUEST to this court, to continue discovery
 26 and pretrial dates by one hundred twenty (120 DAYS)

27 * THIS REQUEST DUE TO UNLAWFUL WITHDRAWAL OF EXCUSE

28 metetchie LawsPage 1 violations of this court's

1 Rules, LRO-1 Proof of service, motion to withdraw, and
 2 LRIA 10-6(E) DELAYS Discovery, hearings, trial, and LRIA 10-7
 3 (a) ETHICAL STANDARDS (model rules). ("SEE" plaintiff opposition
 4 to counsels motion to withdraw. (Doc #36 Filed 9/9/21) ALSO
 5 "SEE" Plaintiffs EMERGENCY AFFIDAVIT (Doc 35, Filed 9/25/21)
 6

7 "INTRODUCTION AND STATEMENT OF GOOD CAUSE"

8 On August 10, 2021, EX-COUNSEL for plaintiff filed their motion
 9 to withdraw as counsel for plaintiff (ECF No. 29) ms. moletrie
 10 requested that this court grants this request for extension number
 11 2 to provide sufficient time for plaintiff James M. Reese to
 12 retain NEW counsel and/or continue the discovery process
 13 in proper person. EX COUNSEL requested 120 DAYS, it was
 14 denied in part, granted in part (60 DAYS GRANTED) Doc #
 15 33, min order 8/23/2021.

16 This Court also stated (Parties also should note that
 17 discharge, withdraw, or substitution of attorney will not alone be
 18 reason for delay of discovery LRIA 11-6-(d) -

19 (Delays - - - BUT PLAINTIFF STATES, the important
 20 part of that Rule LRIA 10-6(E) (IN THIS situation)

21 1st line (EXCEPT FOR GOOD CAUSE SHOWN (counsel showed NO
 22 good cause - proven by plaintiff in his opposition to counsel
 23 withdraw, plaintiff's emergency affidavit and appointment
 24 of counsel/motion from plaintiff "AGAIN"

25 "1st line" EXCEPT FOR GOOD CAUSE SHOWN, NO WITHDRAW or
 26 substitution shall be approved IF delay of discovery,
 27 the trial or any hearing in the case would result.

28 //

Withdrawn's
LRIA 10-6 (e)
Continued —

1 Where delay would result, the papers seeking leave of court
2 for the withdrawal or substitution must request specific
3 relief from the scheduled trial or hearing. —

4 NOTE — Plaintiff states that by granting ex counsels
5 withdrawn, "How could THIS COURT NOT KNOW OF THE DELAYS
6 TO COME IN THIS CASE DUE TO THE STAGE DISCOVERY IS IN

7 * 1. Plaintiff is not a Attorney, nor has the abilities to
8 conduct discovery, and all the witness depositions
9 required to protect the plaintiffs due process, clause
10 under the united states constitution, to depose the

11 plaintiffs number 1 witness DR UDAY SARANYA the treating
12 physician in this case FOR plaintiff. NOTE plaintiffs. ex
13 counsel lied to plaintiff in writing stating Margaret
14 Melatchie disclosed witness to defendants — not right lie —

15 (see plaintiffs second supplement, witnesses disclosure,
16 pursuant F.R.C.P p26 you'll see in writing, plaintiffs
17 INITIAL DISCLOSURES, and plaintiffs first supplement to

18 INITIAL DISCLOSURES "Both documents do not reflect my
19 number 1 witness, now look at Melatchie law's letter to
20 plaintiff — lies and states Margaret Melatchie disclosed

21 my witness (expert witness) expert Robert He witness
22 to the defendants THIS IS A DIRECT ETHICAL VIOLATION
23 AND A OUT RIGHT VIOLATION OF PLAINTIFFS RIGHTS OF

24 DUE PROCESS — FOR LAWFUL DISCOVERY (THUS DELAYS
25 BY WITHDRAW — (SEE APPOINTMENT OF COUNSEL MOTION)

26 AND
27 (PLAINTIFFS SECOND SUPPLEMENT WITNESSES DISCLOSURE
28

Plaintiff had to Address All these issues, -

DELAYS DUE TO counsel's WITHDRAW!

1. Plaintiffs shown proof, in writing the efforts by
2. ex-counsel to sabotage plaintiff's case look at the
3. totality of ex-counsel's action, (SEE Withdraw opposition, Dec 36)

4. would not address the demands of plaintiff to depose
5. plaintiff's key witness DR. WDAY SARAIYA, or any witnesses

6. would not protect plaintiff from retaliation from NDOC

7. NON-medical treatment, ^{DEFENDANT} DR. GREGORY BRYAN med director

8. would not address conflict of interest, NON-medical

9. treatment by defendant ex-doctor GREGORY BRYAN

10. Failure to serve plaintiff key motion to withdraw counsel
11. of plaintiff (to seek motion in for quick ruling)

12. Failure of counsel to disclose plaintiff's key witnesses
13. DR. WDAY SARAIYA, plaintiff's physician that treated him.

14. (This is NO mistake, A DIRECT violation of
15. plaintiff's DISCOVERY RIGHTS, DELAYS to
16. correct their intentional wrongdoings.)

17. e.g., unlawful, NON-representation, when they mislead

18. law, stayed plaintiff's case 393 days + 120 + 60 DAYS

19. telling plaintiff it was good for his case, due to the

20. inmate class action suit, I never agreed to the stay

21. I didn't know until I got a letter from them.

22. They told me any win in that case would help me - lie

23. 393 DAY STAY - (SEE CONSENT DECREE NO 3:19-W-00577 mmj CLB)

24. Exhibits 4-B 2 (SEE FILED EMERGENCY AFFIDAVIT, Exhibits - letter
25. mitchell 4-C-1 Letter stay)

26. 7. SEE ALL proof filed by plaintiff, in this

27. court - "ALL HAVE CAUSED DELAYS - plaintiff"

28. HAS HAD TO RESPOND TO all these facts,

and remaining Page 4 DISCOVERY is unobtainable!

1 PLAINTIFFS MOTIONS - (REMAINING DISCOVERY) DELAYS --

2 (PLAINTIFFS MOTIONS FILED) - ALL DELAYS -

- 3 1. PLAINTIFF HAS NO PHYSICAL ACCESS TO LAW LIBRARY, CULD
- 4 NOW-EXISTANT PAGING SYSTEM, - (ONLY E-FILE 7-10 DAYS DELAY
- 5 2. PLAINTIFF HAS NO LEGAL SUPPLIES, REQUESTED TWICE
- 6 NEVER RECEIVED (SEE APPOINTMENT OF COUNSEL MOTION) ^{FILED HEARING - 10-20-21}
- 7 3. ALL LEGAL SUPPLIES, FOR MOTIONS FILED, WERE GIVEN TO ME!
- 8 4. REQUESTED LEGAL SUPPLIES, CASE LAW, LEGAL FORMS
- 9 HAVE NOT RECEIVED ANY IN MONTHS, HAVE PROOF, WRITING
- 10 5. - MOTION FOR COUNSEL, (HAS CAUSED DELAYS) 2 WEEKS
- 11 6. EMERGENCY AFFIDAVIT (HAS CAUSED DELAYS) 1 WEEK
- 12 7. EMERGENCY HEARING FOR UNLAWFUL WITHDRAWAL OF COUNSEL (1 WEEK
- 13 8. SUPPLEMENT WITNESS LIST DELAY (1 WEEK)
- 14 9. THIS MOTION! MORE DELAYS (7 DAYS TO 10 DAYS) ^{NO SUPPLIES}
- 15 10. HAVE TO ACQUIRE PAPER, PEN, ENVELOPES, FORMS E-FILE
- 16 MAKE HAND WRITTEN COPIES OF ALL MOTIONS - 2 WEEKS
- 17 11. OPPOSITION TO WITHDRAWAL OF COUNSEL - DELAYS 2 WEEKS
- 18 12. NO CASE LAW - OR LIMITED COURT RULES - (1 WEEK

19 REMAINING DISCOVERY

- 20 1. DEPOSITION OF PLAINTIFF, WITNESS IN THIS CASE
- 21 2. DEPOSITIONS OF DEFENDANTS
- 22 3. DEPOSITIONS OF WITNESSES / EXPERT / REBUTTAL -
- 23 4. DEPOSITIONS OF DEFENDANTS' PERSONS MOST KNOWLEDGE
- 24 ABLE
- 25 5. DEPOSITIONS OF EXPERT WITNESSES DESIGNATED BY
- 26 ALL PARTIES
- 27 6. ADDITIONAL WRITTEN DISCOVERY AND
- 28 7. ADDITIONAL RECORDS

1 8. motions For ^(witnesses) subpoenas, order for marshalls
 2 to serve them;

3 9. motion for this court to appoint expert witness,
 4 medical issues, and complexities medical damages

5 10. motion for court ordered compliance of key witnesses

6 (11. motions to end NEVADA DEPARTMENT OF PRISONS
 7 plaintiffs NON-TREATMENT for serious medical

8 needs - (it's been on going for months) GRIEVANCE'S FILED

9 (NDOC failed to answer informal level GRIEVANCES FILED - 675-21

10 Log Number # 2006-31-23563) For my skin lesions due to

11 liver damage) 1st level attempted 3 times to file Retaliation,

12 skin lesions) Blocking, Hindering, Thwarting medical needs. -

13 (12. motions to end NEVADA department of prisons HDSP, Retaliation

14 for NON-medical TREATMENT, for serious medical needs

15 (it's been on going, liver pain, swelling, rectal discharge, skin

16 lesions, vomiting, diarrhea, fatigue, No ultrasound in

17 2 years No fibroscan to check for tumors, (in Las Vegas it

18 was ordered once a year, for cancer surveillance - Defendant

19 DOCTOR GREGORY BRYAN, Retaliation - "EX Counsel did nothing!"

20 GRIEVANCE # 2006-51-24550 1st / 1st / 3rd attempt, motions Revers

21 13 All these factors are Delaying plaintiffs Rights

22 for Discovery, No case law, No legal forms, No paper,

23 No pens - law library paying system non existence

24 (GRIEVANCE Filed ⁽²⁰⁰⁶⁻³¹⁻⁰⁶³⁰²⁾ 5th level 2-11-21 - No answer law library)

25 2. (GRIEVANCE Filed ⁽²⁰⁰⁶⁻³¹⁻²⁶⁸²²⁾ internal 8-27-21) no answer - law library)

26 3. Plaintiffs Proof of attempts to get supplies forms,

27 case law ect (copy work takes 7-14 days, e-filing takes

28 5-14 days to achieve, Page 6, it's Ridiculous -!

NON-medical
Retaliation -
SKIN

NON-medical
TREATMENT
Retaliation -
LIVER

Log Number -

6 month scap -

ALL THIS,

is proof of plaintiff's attempts to try to protect my DUE
PROCESS RIGHTS, the NEVADA DEPARTMENT OF PRISONS, HIGH DESERT
PRISON, and Retaliation proven by actions of all NDOC players
involved, starting with nonmedical treatment, non-schedule
ing for doctors appointment (1. Jaymie Cabrera Nurse scheduling
(2. Adrienne Thompson Nurse scheduling (3 Associate warden
W. Kulbia, GRIEVANCES, Hindering, Blocking, Thwarting, serious medical
needs, grievances for help, liver/skin (4. Case worker with
J2, Warren, Failure, refusal to assist plaintiff GRIEVANCES,
serious medical needs - with the warden's instructions to
assist plaintiff - Hindering Thwarting Blocking / serious medical
needs / All dilibante indifference all acting under the
color of law. -- I NEED MEDICAL TREATMENT, NO DELAYS,

ALL THESE FACTS PRESENTED TO THIS
COURT, TO DEMONSTRATE THE DELAYS CREATED BY
WITH DRAW OF COUNSEL, (SEE MOTION FOR APPOINTMENT
OF COUNSEL.) Plaintiff's DUE PROCESS IS AT STAKE -
* I'm REQUESTING EXTENSION OF DISCOVERY DEAD LINES!
TO PROTECT James Reese's DUE PROCESS RIGHTS
TO FULL UNHINDERED DISCOVERY - IF CAN'T HANDLE THIS!
IT'S TOO COMPLEX, Hindering Thwarting The NDOC, SLOW PLAY!

EX COUNSEL FAIL TO DEPOSE ANY WITNESSES

- AT ALL - AFTER 393 DAYS IN PRISON,
* FROM A CLOSED CUSTODY CELL plaintiff CANNOT DEPOSE
WITNESS - HAVE NO MORE SUPPLIES, CASE LAW - OR
KNOWLEDGE TO CONDUCT THIS DISCOVERY (SEE MOTION TO

APPOINT COUNSEL
COURT TO HELP ME,

Page 7. Impleading with This

S. DR. DANTE
HDSF

Plaintiffs REASONS FOR THE REQUESTED EXTENSION
already stated are proven Through paper work, Receipts,
 Grievances, Supply Request Receipts, Case law Request
 Receipts - Inmate Request Kites, AND MORE. (CASE LAW)

Further Proof

McLetchie law Files with drew motion ^{submitted 8/10/21} 8/13/21 motion granted 8-13-21 ^{3 DAYS?}

1. IN COUNSEL'S OWN MOTION, DOC 30 FILED 8/12/21

EX COUNSEL CLAIMS, WERE DILIGENTLY CONDUCTING DISCOVERY,

2. EX COUNSEL CLAIMS TO HAVE PRODUCED DOCUMENTS RELATING TO
 LIABILITY ISSUES, AND HAVE BEEN WORKING TO COORDINATE DEPOSITIONS,

3 EX COUNSEL'S untimely motion to extend DEADLINES DOC 30

LATE WITHIN 21 DAYS Rule 26-4 - "VIOLATION" WHAT WERE

THEY DOING? (DRAGGING THEIR FEET TO DUMP MY CASE, ^{THEIR WITHDRAWAL MOTION FILED 8-13-21} ^{never served})

4 EX COUNSEL'S DEADLINES initial disclosure of initial experts and

deadline for initial expert disclosures untimely - -

* AND EX-COUNSEL NEVER DISCLOSED "my" (Plaintiffs) Treating

Physicians, Doctor Uday Saranya - but RECEIVED plaintiff

in writing SEE exhibits, Plaintiffs second supplement witness

disclosure, letter from McLetchie law stating Margaret

McLetchie law disclosed plaintiffs key expert witness,

DR UDAY SARANYA, when in fact all plaintiffs disclosures

to counsel for Defendants shows NO such disclosures,

AGAIN McLetchie law, intentionally failed to disclose

Plaintiffs key witnesses, Documents PROVE THIS FACT,

(5. why didn't counsel, Diligently protect plaintiffs

Rights under the United States Constitution, proven

By their own actions, writing, filing signatures, multiple

times, many different

Page 8 areas of this case?

NOTE
 MOTION
 GRANTED SAME
 DAY AS FILED -
 AFFIDAVIT NO
 SERVICE

DOC 30
 Filed
 9-16-21

Corruption

(6. GOOD CAUSE EXISTS FOR ~~EXCUSE~~ THIS TIMELY REQUEST
 PLAINTIFF HAS SHOWN inability to conduct DISCOVERY in a
 timely complete manner, TO PROTECT HIS RIGHTS UNDER
 the due process clause of the US Constitution.

(7. PLAINTIFFS MOTION FOR APPOINTMENT OF COUNSEL, AND
 REQUEST FOR EVIDENTIARY HEARING, HEARING SET
 FOR 10/20/21 AT 11:00 AM IN LR COURT ROOM 3B BY ZOOM
 VIDEOCONFERENCE. - - THEREFORE A 120 DAY DISCOVERY
 DEADLINE EXTENSION, IS WARRANTED, TO PROTECT
 PLAINTIFFS DISCOVERY RIGHTS. - DUE TO EX-COUNSELS BAD ACTS,
 NO LAW LIBRARY, CASE LAW, SUPPLIES, DISCOVERY DUE PROCESS VIOLATIONS, TOGETHER

(8. CASE LAW ALSO DICTATES THE GRANTING THE 120 DAY
 DISCOVERY DEADLINE EXTENSION,

(A. IT AIDS THE COURT IN LUE OF APPOINTMENT OF COUNSEL HEARING!

(B. PROTECTS PLAINTIFFS RIGHTS TO DISCOVERY AND PROVIDES
 A LEVEL PLAYING FIELD FOR THIS CASE, WHICH
 PLAINTIFF HAS SHOWN TO HAVE VERY STRONG MERIT!

(C. 120 DAY EXTENSION PROVIDE SOME RELIEF FROM EX-
 COUNSELS WRONGFUL HANDLING OF PLAINTIFFS CASE, DUE
 TO FABRICATIONS, LIES, DECEPTIONS, WHICH HAVE VIOLATED
 PLAINTIFFS RIGHTS, "PROVEN MULTIPLE TIME, IN WRITING.

PROPOSED SCHEDULE (120 DAY EXTENSION)

THE COURTS, HAVE AUTHORITY TO IMPOSE PLAINTIFFS
 THE SCHEDULE - OR COUNSEL FOR DEFENDANT -

PLEASE ISSUE DATES FOR NEW DEADLINE, IF
 PLAINTIFFS MOTION GRANTED, AS TO PLAINTIFFS

CONFUSION ON WHAT Page 9. THE DEADLINE REALLY ARE?
 POSSIBLE, AMENDMENT TO INITIAL COMPLAINT!

TO ADD DEFENDANTS -

1
2 Plaintiff is not sure of DEAD LINE DATES
3 due to old schedule, ex counsels proposed DEADLINES
4 and the granted 60 days extensions, - which plaintiff
5 doesn't know where to start -

6 Plaintiff has demonstrated the obstacles that
7 have BEEN encountered, AND Plaintiff hasn't the
8 abilities to even start to know how to DEPOSE
9 all my witnesses, let alone getting the information
10 to learn, I'm asking this court to grant 120
11 Day extension, and Plaintiff NEEDS counsel
12 for this case that has strong merit.

13
14 plaintiff submits this motion TO EXTEND
15 DISCOVERY DEADLINES, 120 DAYS, Third REQUEST
16 (1st REQUEST by unrepresented plaintiff.)
17 * AGAIN - APPOINTMENT OF COUNSEL HEARING 10-20-21
18 COURTROOM 3B, BY Zoom Video (Doc 38) order).

19 CERTIFICATE OF SERVICE

20 Submitted under penalty of perjury, 28 USC
21 1746, E-FILED TO US DISTRICT COURT, and -
22 Please Forward To Aaron D. Ford, Attorney General
23 (kathlynbrady@ag.nv.gov) (Attorney General
24 (cmecf@nvd.uscourts.gov) (US District Court)

25
26 28 USC 1746 James M. Reese 9-15-21
27 James M. Reese

28 9-15-21 -)

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Order

IT IS
ORDERED
that ECF No.
40 is
GRANTED as
unopposed.
See ECF No.
44.

IT IS SO ORDERED
DATED: 6:31 pm, October 08, 2021

Brenda Weksler
UNITED STATES MAGISTRATE JUDGE

WHITING - on C/O For E-Filing - 9- -21 TAKEN by C/O